

# 14

## PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Max P. McDaniel, et al. )  
   ) Examiner: RABAGO, Roberto  
 Serial No. 09/909,152                 )  
   ) Law Office: 1713  
 Filed: July 19, 2001                  )  
   )  
 For: Process for Producing Polymers )

**PETITION FOR REVIVAL OF ABANDONED APPLICATION**  
**UNDER 37 CFR 1.137(b)**

Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

The Applicants named in the patent application identified above hereby petition under 37 C.F.R. §1.137(b) to revive the referenced patent application:

1. A Notice of Abandonment was issued by the U.S. Patent Office on June 18, 2003 for Applicants' failure to respond to the Final Office Action mailed November 15, 2003.
2. Applicants submit that the present application was transferred from the firm of McDermott, Will & Emory to the present counsel for prosecution. During the transfer, the Final Office Action mailed November 15, 2002, was inadvertently misplaced. Applicants further submit that the entire delay in filing the response to the Final Office Action due May 15, 2003 until the filing of a grantable petition was unintentional.

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, is being deposited with the U. S. Postal Service with sufficient postage as first-class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on July 28, 2003.

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**OFFICE OF PETITIONS**

3. In a telephone conference with the Examiner on June 12, 2003, the undersigned learned of the Final Office Action and found that the deadline to respond had passed. Accordingly, Applicants respectfully assert that abandonment was unintentional.

4. The following documents are filed concurrently with this Petition:

- i. A check in the amount of \$1,300.00 to cover the petition fee as required by 37 C.F.R. §1.17(m);
- ii. A check in the amount of \$750.00 required by 37 C.F.R. § 1.17(e) for the Request for Continued Examination;
- iii. A Request for Continued Examination;
- iv. A Response to the Final Office Action;
- v. A Terminal Disclaimer; and
- vi. Form PTO/SB/122 and a copy of the Revocation and Power of Attorney executed by the Assignee on December 18, 2002.

5. WHEREFORE, Applicants request that the above-referenced patent application be revived.

Respectfully submitted,



By: Jeffery B. Arnold  
Reg. No. 39,540

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404/815-6500  
Our Docket: 51757-0481 (51757-281299)